

JH
12/20/2018

UNITED STATES DISTRICT COURT
 for the
 Southern District of Ohio

United States of America

)

v.

)

Cornelius ALLEN

)

) Case No.

2:18-mj-929

)

)

)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 08/11/2018 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(1)	Possession of Firearm by Convicted Felon

This criminal complaint is based on these facts:

Please See Attached

Continued on the attached sheet.


Jerry Orick #2307
Complainant's signature

Jerry Orick ATF Task Force Officer #2307
Printed name and title

Sworn to before me and signed in my presence.

Date: 12-20-18

City and state: Columbus, OH


Judge's signature

Chelsey M. Vascura, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Jerry Orick, being duly sworn, depose and state that:

I have been a Police Officer with the Columbus, Ohio Division of Police since 2001. I have been a Task Force Officer (TFO) with the United States Department of Justice, Bureau of Alcohol, Tobacco Firearms, and Explosives (ATF) since May 2005. I am familiar with State and Federal criminal laws pertaining to firearms and narcotics violations.

1. This affidavit is made in support of a criminal complaint against Cornelius ALLEN (DOB: 11/9/1980) for a violation of Title 18, United States Code, Section 922(g)(1): Possession of a firearm and/or ammunition by a convicted felon. The statements in this affidavit are based upon my training and experience, consultation with other experienced investigators and agents, consultation with Columbus Division of Police (CPD) Detectives / ATF Task Force Officers who are assisting directly in this investigation, review of related police reports, and other sources of information relative to firearms investigations. This affidavit is intended to set forth probable cause in support of the criminal complaint and does not purport to set forth all of my knowledge regarding this investigation.
2. ALLEN has multiple felony convictions in the Franklin County Court of Common Pleas, Ohio, each of which was punishable by a term of imprisonment of more than one (1) year. On or about 7/26/2001, ALLEN entered a guilty plea in Case Number 00CR003728-Possession of Drugs, a felony of the 4th degree. On or about 7/26/2001, ALLEN entered a guilty plea in Case Number 01CR000820-Possession of Drugs, a felony of the 4th degree. On or about 7/26/2001, ALLEN entered a guilty plea in Case Number 00CR001681-Possession of Drugs, a felony of the 4th degree. On or about 1/10/2003, ALLEN entered a guilty plea in Case Number 00CR003728-Participation in a Criminal Gang, a felony of the 2nd degree. On or about 1/12/2010, ALLEN entered a guilty plea in Case Number 00CR003728-Weapons Under Disability, a felony of the 3rd degree. On or about 11/10/2011, ALLEN was found guilty by a jury in Case Number 10CR007172-Engaging in Corrupt Activity, a felony of the 1st degree and Participating in a Criminal Gang, a felony of the 2nd degree.
3. On 08/11/2018, Columbus, Ohio Division of Police Officers responded to Weinland Park, 1280 Summit Street, Columbus, Ohio 43201 on a call for service regarding several shots fired with multiple victims shot. Two of the reported victims were adults and two were juveniles (5 years of age and 10 years of age).
4. ALLEN was identified by multiple witnesses as being at scene during the shooting. One witness stated ALLEN was standing within feet of the witness when the incident occurred. ALLEN was interviewed by Columbus, Ohio Division of Police Detective Polgar and during the interview ALLEN admitted to being at the scene of the shooting earlier in the day but denied being present at the scene during the shooting.
5. On 08/12/2018, a Kel-Tec, 9mm pistol bearing serial number SE368 was recovered from the shooting scene. Cellular material was collected from the firearm by the Columbus, Ohio Division of Police Crime Laboratory and entered into the Combined DNA Index System (CODIS). The

Columbus, Ohio Division of Police Crime Laboratory was later notified of a CODIS hit to the cellular material located on the firearm. The cellular material located on the firearm was determined to have originated from Cornelius ALLEN.

6. On 12/13/2018, a DNA (cellular material) search warrant was executed on the body of Cornelius ALLEN. The DNA (cellular material) was turned in to the Columbus, Ohio Division of Police Crime Laboratory and a comparison between the DNA (cellular material) collected from the Kel-Tec, 9mm bearing serial number SE368 and the DNA (cellular material) collected from the body of ALLEN was requested.
7. On 12/20/2018, the Columbus, Ohio Division of Police Crime Laboratory reported that ALLEN could not be excluded as a contributor to the DNA collected from the previously noted firearm.
8. TFO Orick received a verbal Interstate Nexus Determination, which was conducted by ATF Special Agent Jason Burns on the aforementioned firearm to determine the origin and status as to travel in interstate and/or foreign commerce. SA Burns is an ATF Interstate Nexus Expert, is a graduate of the ATF Firearms Interstate Nexus Training School, and is certified in making firearms and ammunition interstate nexus determinations. SA Burns determined that the aforementioned firearm, specifically the Kel-Tec, 9mm pistol bearing serial number SE368 was not manufactured in the State of Ohio and therefore moved/affected interstate/foreign commerce to arrive in the State of Ohio.
9. The aforementioned offense occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
10. Based upon the aforementioned information and events, and your affiant's training and experience in dealing with Federal firearms violations, your affiant believes that probable cause exists to believe that on or about 08/11/2018, Cornelius ALLEN, a previously convicted felon, did possess a firearm which was not manufactured in the state of Ohio and therefore travelled in and/or affected interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).



Jerry Orick, ATF Task Force Officer

Sworn to before me and signed in my presence.



The Honorable Elizabeth Preston Deavers
U.S. MAGISTRATE JUDGE
SOUTHERN DISTRICT OF OHIO



Date

Chelsey M. Vascura, U.S. Magistrate Judge